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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/751,512	01/06/2004	Tatsuya Ito	113112.01	3327

7590 09/01/2005

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EXAMINER

MRUK, GEOFFREY S

ART UNIT PAPER NUMBER

2853

DATE MAILED: 09/01/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/751,512

Applicant(s)

ITO ET AL.

Examiner

Geoffrey Mruk

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 21 January 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-44 is/are pending in the application.
- 4a) Of the above claim(s) 1-40 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 41-44 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 06 January 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 9/22, 4/21, 5/25/05
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

1. Claims 41 and 43 are rejected under 35 U.S.C. 102(b) as being anticipated by Yamaguchi (EP 0 754 553 A2).

With respect to claim 41, Yamaguchi discloses an apparatus (Fig. 11) for manufacturing a color filter (Column 22, lines 42-43), comprising: a plurality of nozzles (Column 27, lines 16-21) for ejecting a filter material in droplets (Column 6, lines 24-27); and a plurality of heads (Fig. 11, elements 120a, 120b, 120c), each head having the plurality of nozzles linearly arranged with a constant layout pitch of (D) (Column 27, line 21), the plurality of heads are arranged to form a linear row of nozzles (Fig. 18, element IJH).

With respect to claim 43, Yamaguchi discloses a method for manufacturing a color filter (Column 17, lines 19-58; Column 18, lines 1-9), comprising: scanning a substrate (Fig. 11, element 1) by moving a table (Fig. 11, element 22, i.e. X-Y table),

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and a plurality of heads (Fig. 11, element 30, i.e. Z direction); and ejecting a filter material in droplets (Column 6, lines 24-27) by a plurality of heads (Fig. 11, elements 120a, 120b, 120c), each head having a plurality of nozzles (Column 27, lines 16-21) arranged with a constant layout pitch of (D) (Column 27, line 21), the plurality of heads are linearly arranged to form a linear row of nozzles (Fig. 18, element IJH).

2. Claims 41-43 are rejected under 35 U.S.C. 102(e) as being anticipated by Yamaguchi et al (US 6,364,450 B1).

With respect to claim 41, Yamaguchi discloses an apparatus (Fig. 1) for manufacturing a color filter (Column 2, lines 39-48), comprising: a plurality of nozzles (Fig. 12, nozzle array) for ejecting a filter material in droplets (Column 8, lines 29-38); and a plurality of heads (Fig. 22, elements 55b, 55c, 55d), each head having the plurality of nozzles linearly arranged with a constant layout pitch of (D) (Column 19, lines 27-29), the plurality of heads are arranged to form a linear row of nozzles (Column 19, lines 32-45).

With respect to claim 42, Yamaguchi discloses an apparatus (Fig. 1) for manufacturing an electroluminescence substrate (Column 23, lines 9-25), comprising: a plurality of nozzles (Fig. 12, nozzle array) for ejecting a filter material in droplets (Column 8, lines 29-38); and a plurality of heads (Fig. 22, elements 55b, 55c, 55d), each head having the plurality of nozzles linearly arranged with a constant layout pitch of (D) (Column 19, lines 27-29), the plurality of heads are arranged to form a linear row of nozzles (Column 19, lines 32-45).

With respect to claim 43, Yamaguchi discloses a method for manufacturing a color filter (Column 8, lines 21-67; Column 9, lines 1-67; Column 10, lines 1-4), comprising: scanning a substrate by moving a table (Fig. 1, element 52, i.e. X-Y-Z- $\theta$  stage) and a plurality of heads (Fig. 1, elements 90a; Column 7, lines 23-26); and ejecting a filter material in droplets (Column 8, lines 29-38) by a plurality of heads (Fig. 22, elements 55b, 55c, 55d), each head having a plurality of nozzles arranged with a constant layout pitch of (D) (Column 19, lines 27-29), the plurality of heads are linearly arranged to form a linear row of nozzles (Column 19, lines 32-45).

With respect to claim 44, Yamaguchi discloses a method for manufacturing an electroluminescence substrate (Column 23, lines 9-25), comprising: scanning a substrate by moving a table (Fig. 1, element 52, i.e. X-Y-Z- $\theta$  stage) and a plurality of heads (Fig. 1, elements 90a; Column 7, lines 23-26); and ejecting a functional layer forming material (Column 23, lines 10-13) in droplets (Column 23, line 21) by a plurality of heads (Fig. 22, elements 55b, 55c, 55d), each head having a plurality of nozzles arranged with a constant layout pitch of (D) (Column 19, lines 27-29), the plurality of heads are linearly arranged to form a linear row of nozzles (Column 19, lines 32-45).

### ***Conclusion***


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Geoffrey Mruk whose telephone number is (571) 272-2810. The examiner can normally be reached on 7am - 330pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Meier can be reached on (571) 272-2149. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

GSM  
8/29/2005

GM



Stephen D. Meier  
Primary Examiner